

Remarks

The Abstract

The Abstract has been objected to. Although the objection devoted nearly two pages to listing the requirements of an Abstract, the only indication of why the objection was made was the general observation that the Abstract did “not enable the USPTO and the public generally to determine quickly from a cursory inspection the nature and gist of the technical disclosure”. Applicants strenuously object to this characterization of the Abstract. The Abstract specifies the type of device (a wireless network communications device), the methods used (interactively adjust transmit power levels), and the field of operation (a network with a changing network environment). Applicants respectfully request the Examiner to either withdraw the objection or provide a more detailed explanation of what is specifically missing from the Abstract.

The Claims

Claims 1-27 have been rejected under 35 USC 103(a) as being anticipated by U.S. patent no. 6,498,785 (“Derryberry”) in view of U.S. patent no. 6,141,565 (“Feuerstein”). Applicants respectfully traverse this rejection because the cited references do not disclose or suggest every element of any pending claim, as the following analysis shows.

Independent claims 1, 8, 12, 16, and 22 each recite that the claimed operations are to take place entirely within a mobile station. Support for this limitation may be found in Applicants' specification in paragraph 0015 ("a single network device may control its own transmit power and determine its own data throughput"), and in paragraph 0023 ("a wireless device may consist of a mobile station"). Derryberry teaches that the base station transmits power control information to the mobile station based on the base station's observations and determinations (col. 2 lines 41-45, col. 4 lines 56-64, *et al.*) Similarly, Feuerstein teaches that the base station has to tell the mobile station what to do (col. 1 lines 32-34, col. 3 line 8, lines 42-45, *et al.*). Neither reference discloses or suggests that all the claimed operations take place within a mobile station. The question of obviousness to combine references is therefore not even reached, since important limitations are missing from all the combined references.

The remaining pending claims each depends directly or indirectly from one of claims 1, 8, 12, 16, or 22, and therefore contains the same limitations not disclosed or suggested by the cited references.

Conclusion

For the foregoing reasons, it is submitted that the application is in condition for allowance, and indication of allowance by the Examiner is respectfully requested. If the Examiner has any questions concerning this application, he or she is requested to telephone the undersigned at the telephone number shown below as soon as possible.

Respectfully submitted,

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